



Ducor Telephone Company

2500 E. Belle Terrace, Suite 100 • P.O. Box 42230 • Bakersfield, CA • 93384-2230
Phone: (661) 834-7700 • Fax: (661) 834-7771

February 26, 2010

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, Suite TW-A325
Washington, D.C. 20554

Re: 2009 Annual CPNI Certification and Accompanying Statement of Compliance
EB Docket No. 06-36

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 64.2009(e), Ducor Telephone Company hereby submits its CPNI Certification and Accompanying Statement.

Respectfully submitted,

William J. Meyer
Vice President



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Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2010 covering the prior calendar year 2009

1. Date filed: February 26, 2010
2. Name of company(s) covered by this certification: Ducor Telephone Company
3. Form 499 Filer ID: 803370
4. Name of signatory: William J. Meyer
5. Title of signatory: Vice President

I, William J. Meyer, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed

Attachments: Accompanying Statement explaining CPNI procedures
Statement of actions taken against data brokers
Statement of customer complaints regarding unauthorized release of CPNI
Supporting documentation



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STATEMENT

The Ducor Telephone Company ("Ducor") has established operating procedures and policy that ensure compliance with the Federal Communications Commission ("FCC") regulations regarding the protection of customer proprietary network information ("CPNI").

Ducor has implemented a system whereby the status of a customer's CPNI approval can be clearly determined prior to the use of CPNI. Ducor has tailored its practices for providing customer access to CPNI to be consistent with the CPNI rules, including the directives in FCC 07-22. Ducor has established secure passwords with its customers. Ducor has also established a backup means of authentication using a "secure question" and "secure answer" for customers who have lost or forgotten their passwords. CPNI may be provided to the customer of record and/or any other individual that has been authorized by the customer of record to receive CPNI. Ducor will only disclose CPNI to an individual authorized to view CPNI after authenticating the individual by: (1) the customer providing Ducor a pre-established password; (2) requesting that call detail be mailed to the address of record; (3) through a Ducor-initiated call to the address of record; or (4) by appearing in person at a Ducor business office and presenting a valid, United States government-issued photo ID that matches the name on the account.

Ducor follows special authentication procedures with regard to the release of "call detail" information. Call detail is a form of CPNI that includes any information pertaining to the transmission of a customer's telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. Ducor's policy is to never provide call detail information over the phone for a customer initiated call. A customer can obtain call detail information in one of three ways: (1) by requesting that call detail be mailed to the address of record; (2) through a Ducor-initiated call to the telephone number of record; or (3) by appearing in person at the Ducor business office and presenting a valid, United States government-issued photo ID that matches the name on the account. (See attached forms)

Ducor will notify customer immediately of certain changes in their accounts that may affect privacy or security matters. The type of changes that require immediate notification include: (1) change or request for change of the customer's password; (b) change or request for change of the customer's address of record; (c) change or request for change to the customer's responses with respect to the back-up means of authentication for lost or forgotten passwords.

Ducor has implemented policy that would ensure that any of its consultants and or agents who may, by necessity, gain access to CPNI are trained in the appropriate handling and use of CPNI. Ducor continually educates and trains all personnel regarding the appropriate use of CPNI annually or upon commencement of employment. Each employee is required to sign a certification stating that they understand their responsibility to protect confidential customer information. Any infractions regarding the use or disclosure of CPNI are taken seriously at Ducor. A record of any such infractions may subject an employee involved to disciplinary action, up to and including termination of employment. (See attached forms)



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Ducor utilizes multiple layers of security to protect its customer CPNI databases and systems from outside sources including industry-standard firewalls, limitation of access to computer systems, password protected computers and servers, alarm systems, and video surveillance.

All customer complaints concerning the unauthorized release of CPNI will be logged and retained for a period of five years. This information is summarized in the reporting information below.

Any CPNI breaches are reported within seven (7) days after a reasonable determination of a breach has occurred to law enforcement officials. Should a breach occur, an electronic notification will be sent through the central reporting facility to the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI). Notification will include a description of the CPNI that was disclosed, how the breach was discovered, an analysis of the sensitivity of the breached CPNI, and any corrective measures taken to prevent recurrence of such breach.

Customer notification of a breach is provided to the customer after seven (7) days unless alternative direction is provided by law enforcement officials or unless extraordinarily urgent notification is required to avoid immediate and irreparable harm.

Ducor retains all customer passwords and "shared secret" question-answer combinations in secure files that may be accessed only by authorized company employees who need such information in order to authenticate the identity of customers requesting call detail information over the telephone.

Ducor will provide a customer's phone records or other CPNI to a law enforcement agency in accordance with applicable legal requirements such as a subpoena or other official court order.

Ducor will maintain a record of any and all instances where CPNI has been disclosed or provided to third parties, or where third parties were allowed to access CPNI. There are no entries for this type of file as yet. The record will be structured to include the circumstances under which the CPNI is being provided, what type of marketing campaign the CPNI is to be used for, the specific CPNI that will be used in the campaign, and what products and services are to be offered as part of the marketing campaign.

Ducor has not used CPNI for marketing purposes, neither has it disseminated CPNI to other entities who would either use the CPNI for marketing purposes or further disseminate the CPNI. Currently Ducor does not allow the use of CPNI for any type of marketing purposes. Additionally, Ducor does not distribute, provide, or give access to CPNI to third parties other than its own legal, accounting, engineering, regulatory consultants, and its billing agency. Ducor has established policies to ensure that all of its consulting firms, service agencies, and contracted labor are trained in the proper handling of CPNI, and the appropriate disposal and destruction of CPNI immediately subsequent to its required use. (See attached forms)



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STATEMENT OF ACTIONS TAKEN AGAINST DATA BROKERS

Ducor has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year (2009).

- A. During Calendar Year 2009, Ducor has instituted the following proceeding, or filed the following petitions, against data brokers before the Federal Communications Commission:

NONE

- B. During Calendar Year 2009, Ducor has instituted the following proceeding, or filed the following petitions, against data brokers before the California Public Utilities Commission:

NONE

- C. During Calendar Year 2009, Ducor has instituted the following proceeding, or filed the following petitions, against data brokers before the following federal or state courts:

NONE



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SUMMARY OF CUSTOMER COMPLAINTS REGARDING UNAUTHORIZED RELEASE OF CPNI

Ducor has not received any customer complaints in the past year (2009) concerning the unauthorized release of CPNI.

- A. During Calendar Year 2009, Ducor has received the following number of customer complaints related to unauthorized access to, or disclosure of, CPNI due to improper access by Ducor employees:

NONE

- B. During Calendar Year 2009, Ducor has received the following number of customer complaints related to unauthorized access to, or disclosure of, CPNI due to improper disclosure to individuals not authorized to receive the information:

NONE

- C. During Calendar Year 2009, Ducor has become aware of the following processes that pretexters are using to attempt to access its CPNI:

NONE

PLEASE READ – IMPORTANT INFORMATION

Customer Proprietary Network Information – Special Notice

Effective **December 8, 2007**, new FCC rules associated with Docket No. 07-22 will go into effect to further protect your Customer Proprietary Network Information (CPNI).¹ All communications companies have an obligation to protect the confidentiality and proprietary information of their customers. Federal law requires that communications companies take specific steps to ensure that CPNI is adequately protected from unauthorized disclosure.

Pursuant to the new rules, beginning **December 8, 2007**, we are obligated by the FCC to implement the following safeguards to protect your CPNI:

- Call-in customers will be authenticated by a pre-determined password.
- Walk-in customers will be authenticated by presenting a valid photo ID matching the name on the account.
- All customers will be offered the option of setting up a password and back-up authentication for lost or forgotten passwords.
- Customers will be immediately notified of certain account changes, including changes made to passwords, back-up authentication questions, online accounts, or address of record.²

NOTICE: CPNI will only be shared with the person or persons named on the account. If you wish to authorize others access to the account and the authority to make changes to the account, please complete the enclosed account information form and return it with your payment. You can also use this form to designate your CPNI password and back-up authentication questions.

Protecting our customers' CPNI is a priority to us and we assure you we will take all the necessary precautions to do so. If you have any questions about this notice or the new rules, please call our Business Office at (559)534-2211.

We appreciate your business.

DUCOR TELEPHONE COMPANY

¹ CPNI is defined as "(A) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer solely by virtue of the carrier-customer relationship; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier."

² Address of Record is defined as an address, whether postal or electronic, that is associated with the customer account for at least 30 days.

IMPORTANT ACCOUNT INFORMATION FORM

COMPLETE & RETURN

Please complete the following information and return this form with your telephone bill payment.

Account Name: _____

Phone Number: _____

The following will be added to my phone account information in accordance with the FCC's ruling to protect my proprietary information.

CPNI Password: _____

Back-up authentication questions for lost or forgotten password
You may choose to answer up to four of the following:

Favorite Color: _____

Pet's Name: _____

Favorite Sports Team: _____

Favorite Hobby: _____

I authorize the following person(s) to obtain information and make changes to my telephone account

Signature (required) Must be signed by the owner of the account.

Date _____

LEER: INFORMACIÓN IMPORTANTE

Información de red propiedad del cliente. Notificación especial

A partir del **8 de diciembre de 2007**, nuevas normas de la Comisión Federal de Comunicaciones (FCC) con orden n.º 07-22 entrarán en vigencia para proteger más y mejor su Información de red propiedad del cliente (CPNI).¹

Todas las empresas de comunicaciones tienen la obligación de proteger la confidencialidad y la información que pertenece a sus clientes.

La legislación federal exige que las empresas de comunicaciones tomen medidas específicas para asegurar que la CPNI esté protegida apropiadamente de divulgaciones no autorizadas.

De conformidad con las nuevas normas, que entran en vigencia el **8 de diciembre de 2007**, estamos obligados por la FCC a implementar las siguientes garantías para proteger su CPNI:

- Los clientes telefónicos serán autenticados mediante una contraseña predeterminada.
- Los clientes en persona serán autenticados mediante una ID con fotografía válida que coincida con el nombre en la cuenta.
- A todos los clientes se les ofrecerá la opción de crear una contraseña y una autenticación de respaldo en caso de que pierdan u olviden la contraseña.
- Se notificará de inmediato a los clientes de ciertos cambios en las cuentas, incluidos los cambios en las contraseñas, las preguntas de la autenticación de respaldo, las cuentas en línea y la dirección del registro.²

NOTA: La CPNI se compartirá solamente con las personas designadas en la cuenta.

Si desea autorizar a otros para que tengan acceso a la cuenta y también la autoridad para realizar cambios en ella, haga el favor de completar el formulario de información de la cuenta que se adjunta y entréguelo junto con su pago.

También puede utilizar este formulario para designar su contraseña y preguntas de autenticación de respaldo de su CPNI.

Para nosotros, proteger la CPNI de nuestros clientes es una prioridad, y le aseguramos que tomaremos todos los recaudos necesarios para su protección.

Si tiene alguna pregunta sobre esta notificación o sobre las nuevas normas, llame a nuestra Oficina Comercial al (559) 534-2211.

Le agradecemos la atención.

DUCOR TELEPHONE COMPANY

¹

CPNI está definida como "(A) información relacionada con la cantidad, la configuración técnica, el tipo, el destino, la ubicación y la cantidad del uso de un servicio de telecomunicaciones al que suscribe cualquier cliente sólo en virtud de la relación operadora de telecomunicaciones-cliente; y (B) información contenida en las facturas correspondientes al servicio de intercambio telefónico o al servicio de llamadas telefónicas que recibe un cliente de una operadora de telecomunicaciones".

²

La dirección del registro se define como una dirección, ya sea postal o electrónica, asociada con la cuenta del cliente durante un mínimo de 30 días.

FORMULARIO DE INFORMACIÓN IMPORTANTE DE LA CUENTA

COMPLETAR Y DEVOLVER

Complete la siguiente información y entregue este formulario junto con su pago de la factura telefónica.

Nombre de la cuenta: _____

Número de teléfono: _____

La siguiente información se agregará a la información de mi cuenta telefónica según la norma de la FCC para proteger la información de mi propiedad.

Contraseña de la CPNI: _____

Preguntas de autenticación de respaldo en caso de pérdida u olvido de la contraseña.

Puede elegir responder hasta cuatro de las siguientes opciones:

Color preferido: _____

Nombre de la mascota: _____

Equipo de deportes preferido: _____

Pasatiempo preferido: _____

Autorizo a la(s) siguiente(s) persona(s) a obtener información de mi cuenta telefónica y a realizarle cambios.

Firma (obligatoria). Debe estar firmado por el propietario de la cuenta.

Fecha

AUTHORIZATION FOR USE OF AN INTERPRETER

The Ducor Telephone Company makes every effort to safeguard and protect the information that we must keep regarding our valued customers. Because of the nature of our service Ducor Telephone collects, and keeps on file, certain information about your account that the Federal Communications Commission (FCC), the California Public Utilities Commission (CPUC), and various state statutes have determined to be of a private and proprietary nature to our customers. Your privacy and the protection of your "customer proprietary network information" (CPNI) along with any other account information which is deemed to be private and proprietary are of paramount importance to us. To this end the Ducor Telephone Company requires that customer authorization must be given before any CPNI or private account information may be discussed, shared, or otherwise disseminated to any third party. As you have demonstrated the desire to use an interpreter to communicate with Ducor Telephone Company's customer service representative we must request that you and your interpreter sign this document of authorization before we are able to discuss your CPNI and account information.

I hereby authorize the Ducor Telephone Company's representative to discuss my private account information and Customer Proprietary Network Information through my interpreter.

AUTORIZACIÓN PARA EL USO DE UN INTÉRPRETE

(La Compañía de teléfono)

El Ducor, Telephone Company hace cada esfuerzo de salvaguardar y de proteger la información que debemos guardar el mirar de nuestros clientes valorados. Debido a la naturaleza de nuestro Ducor del servicio el teléfono recoge, y guarda en el archivo, cierta información sobre su cuenta que la Comisión federal de las comunicaciones (FCC), la Comisión de utilidades públicas de California (CPUC), y los varios estatutos de estado se han determinado de ser de una naturaleza privada y propietaria a nuestros clientes. Su aislamiento y la protección de su "información propietaria de la red del cliente" (CPNI) junto con cualquier otra información de la cuenta que se juzgue para ser privada y propietario son de importancia suprema a nosotros. Con este fin el Ducor Telephone Company requiere que la autorización del cliente deba ser dada antes de que cualquier CPNI o información privada de la cuenta se pueda discutir, compartir, o diseminar de otra manera entre cualquier tercero. Pues usted ha demostrado el deseo de utilizar a un intérprete para comunicarse con el representante/delegado técnico de cliente de la compañía del teléfono de Ducor debemos solicitar que usted y su muestra del intérprete este documento de la autorización antes de que poder discutir su información de CPNI y de la cuenta.

Autorizo por este medio a representante de Ducor de la compañía del teléfono a discutir mi información privada de la cuenta y la información propietaria de la red del cliente a través de mi intérprete.

Customer Signature

Firma del cliente

As acting interpreter for the above named customer I certify that any information that passes through me during the time that I am providing this service will not be discussed, shared, or otherwise disseminated to anyone other than the above named customer unless authorized by him/her.

Pues el intérprete que actúa para el cliente arriba nombrado yo certifica que ninguna información que pase a través de mí durante el tiempo que estoy proporcionando este servicio no será discutida, será compartida, o diseminada de otra manera entre cualquier persona con excepción del cliente arriba nombrado a menos que sea autorizada por él/ella.

Interpreter Signature

Firma del intérprete

Ducor Telephone Company Customer Service Representative

OFFICIAL POLICY MEMO

Ducor Telephone Company

February 9, 2010

DUCOR TELEPHONE COMPANY PERSONNEL POLICY REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)

The Federal Communications Commission enacted new rules effective December 8, 2007, in order to help telecommunications carriers ensure that CPNI is protected from unwanted disclosure. In the course of your employment, you may have access to information concerning our customers, including information that relates to specific call detail like the quantity, whether the customer has a PIC freeze, technical configuration, type, destination, types of calls made, including the number of minutes used, duration of call, the customer's amount of use of a service, customer credit information, the balance due, individually-identifiable demographic information, and other information contained in a customer's bill that is made available to the company solely by virtue of our relationship with the customer. This information is often referred to as "CPNI." CPNI does not include the billing telephone number or address including directories. Also our policy is to never disclose customer information to third-parties for purposes of marketing or provide call detail to anyone that is not the customer of record. This policy includes every employee of Ducor Telephone Company.

How can the customer of record get their call detail information? What is our policy? Our policy is to no longer provide call detail over the phone for a customer initiated call. Who is the customer of record? The customer of record is the customer (s) on the application or contract. The customer of record may come into the office and show a valid government-issued photo identification. We can mail the customer of record the call detail information, if the address has been on record for at least 30 days. We can call back the customer of record by calling the customer at the number of record. The customer's file must be reviewed prior to any release of call detail to verify the customer's call back number of record or address of record before release of the information is authorized. We do not need to keep track of these events per Bill Dever at the FCC at 202-418-1578. We are required to notify the customer immediately when the address of record is changed by calling the customer of record, by text message to the customer of record, or by mailing a letter to the address of record but whatever method is used we must retain that information. We must mail the notice of address change the address on the customer record and not the new address and you must not reveal the changed information in that letter. Wait until the customer calls you and you confirm it is the customer of record to reveal the address change. Employees with access to CPNI are expected to preserve the confidentiality of the information at all times, and take steps

to avoid unauthorized disclosure of the information. Records of CPNI may not be removed by any employee from the company's offices in any form, including paper records, e-mails and/or electronic storage devices, without the authorization of the employee's supervisor. CPNI needs to be locked up at night by each employee that has that data. We must shred any call record detail that is no longer needed. Unauthorized disclosure of CPNI is a violation of federal and state law and it is strictly prohibited. Unauthorized disclosure of this information can lead to legal liability for the company and, in some cases, this liability extends to individual employees. Unauthorized disclosure of any such information must be disclosed as soon as possible to your supervisor. Unauthorized disclosure of such information or removal of such information from the company's premises may lead to discipline of an employee up to and including immediate termination of employment.

If there is a breach where CPNI is given to someone who is not the customer of record you may be suspended or terminated.

I, the undersigned, hereby acknowledge receiving and reviewing the above CPNI policy. I further understand my responsibilities to protect CPNI and the disciplinary procedures.

Name: _____

Position: _____

Date: _____

Signature: _____

Witnessed by the CPNI Compliance Officer, Plant Manager, or immediate superior officer:

_____ Print Name

Signature and Date



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Sirs/ Mmes:

As a telecommunications local exchange carrier Ducor Telephone Company (DTC) is required to certify that it is in compliance with the Federal Communication Commission's Customer Proprietary Information (CPNI) rules as outlined in 47 C.F.R. § 64.2009 (e). As a supplement to the certification filing DTC is required to demonstrate the actions and policies it has implemented to ensure that CPNI is protected.

To these ends DTC requests that, due to your company's relationship with us in either a service agency or consulting firm capacity, and that there is likelihood that during your course of business with DTC you will have access to CPNI, your firm certify with us that your employees, agents, and contractors are trained and knowledgeable in the treatment and protection of CPNI.

Please have a principal of your organization sign the following statements of Certification:

_____ (Company Name) certifies that it does train all of its employees, agents and contract labor providing service to Ducor Telephone Company (DTC) in the treatment and protection of CPNI. It is understood that in the course of _____'s (Company Name) service to DTC any necessary CPNI accessed to provide services to DTC will be returned to DTC, or destroyed, immediately following the purpose that required the CPNI is completed or abandoned. No unauthorized copies of CPNI are to be made without the full knowledge of DTC, and any copies will be treated as the original immediately following its purpose for use.

Signature

Title

Date

Print Name